FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

APPEAL FROM ORDER NO. 754 OF 2004.

Office Notes,Office Memoranda of Coram, appearnaces,Courts's orders or directions and Registrar's orders.	:	Court's or Judge's orders

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Shri Sakhardande for the appellant.

Shri K.K. Tated AGP for the respondent.

CORAM: V.C.DAGA,J.

DATED: 31-08-2004.

P.C.:

. Heard rival parties.

2. This appeal is directed against the order dated 30.7. 3004 in Notice of Motion No. 3017/2004 in S.C. Suit No. 3520 of 2004.During the course of hearing Shri Tated, learned AGP for the respondent, on the instructions of Shri Rajan Kaslay, Sectional Engineer, of the respondent-MHADA, submits that without recording any reasons or without examining demerits or demerits of the impugned order, same may be set aside and the trial

Court be directed to dispose of Notice of Motion on its own merits, leaving all rival contentions open. He further submits that till such time notice of motion is not disposed of no further action shall be taken against the appellant. Statement made is taken on record. The trial Court is directed to proceed to hear notice of motion as expeditiously as possible at any rate within a period of 8 weeks from the date of receipt of copy of this order.

3. Appeal stands disposed of in terms of this order with no order as to costs.

4. Parties to act on copy of this order duly authenticated by the Court Associate/P.A.